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Best Practices in Sexual Harassment Policy and Assessment

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BEST PRACTICES IN SEXUAL HARASSMENT POLICY AND ASSESSMENT

EXECUTIVE SUMMARY

A study was conducted to determine how private-sector companies deal with human relations issues, specifically with sexual harassment. Telephone interviews with a sample of Fortune 500 companies asked them about their sexual harassment policies, the strategies they used to communicate these policies, the training they used for their employees, and how they evaluated whether their policies were effective.

Companies were selected for the study based on their similarity to the U.S. Army in size and complexity. Fifty-six of the 98 firms selected for the study agreed to participate. Results indicated that:

- Virtually all companies (96%) had specific policies prohibiting sexual harassment in the work place; the remaining companies incorporated prohibitions on sexual harassment into a broader policy prohibiting all forms of harassment.
- About two-thirds of the companies reported that they trained non-supervisors on prevention of sexual harassment; however, less than 50% of their personnel had actually been through the training. In fact, most just had new employees read the policy statement and sign that they had read it.
- All of the companies provided training to at least some of their managers and 87% made it "available to all managers." However, only slightly over half said that some form of sexual harassment training was mandatory during a manager's career and none of the companies required this training to become a manager.
- About 60% of the companies attempted to evaluate the effectiveness of their policies. Most of these evaluations used internal or external formal complaints as their only data. Only about 22% used employee surveys as a part of their evaluation.

The study also found that the employee surveys that were being used to measure sexual harassment often fell short in providing an accurate assessment. Most companies understood "quid pro quo" sexual harassment, but were not always measuring other types of harassment that could create a "hostile work environment." The study found that because of the lack of reliable and valid measuring tools that were able to screen for all harassing behaviors, an accurate estimate of sexual harassment was often difficult to achieve. Without an accurate measurement, it was difficult to evaluate the effectiveness of the companies' policies, communication process, and execution of programs designed to prevent sexual harassment.

For the Fortune 500 companies interviewed in this study, the "Best Practices" included developing a positive working climate, conducting ongoing evaluations of a broad base of harassment and factors that interfere with creating a positive environment, and providing a speedy complaint process that protects employees from any form of retaliation. The best examples of good practices in terms of sexual harassment training and written policies were those of the Kimberly-Clark Corporation, Texaco, and AlliedSignal. Their programs were a visible part of their corporate philosophy and corporate documents; utilized a variety of communication and training techniques; were adapted to the unique qualities of their organizations and employee environments; and had a clear complaint process with managers' roles well articulated. They also took action to regularly measure the success of their programs and communication processes.

In summary, organizations with the best programs for prevention of sexual harassment had effective human relations strategies in which policies and training on sexual harassment were embedded into the broader training programs aimed at work productivity, building effective teams, and establishing a positive working environment.

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I. Introduction

Over the past two decades, awareness of sexual harassment as a significant problem for both men and women in the workplace, as well as for their employers, has slowly grown. The U.S. military services have played a leading role in gathering some of the largest existing samples of survey data on the incidence of sexual harassment in the workplace, including the 1989 DOD Survey of Sex Roles in the Active Duty Military (Martindale, 1991), the 1989 and 1991 Navy Equal Opportunity/Sexual Harassment (NEOSH) Surveys (Culbertson et al., 1992, 1993), the 1991 Navy-wide Personnel Survey (Culbertson & Rosenfeld, 1994), the 1987 and 1990 reports on the Progress of Women in the Navy (Chief of Naval Operations, 1987, 1991), and the 1995 U.S. Army Survey (Rosen & Martin, 1998). An astonishingly wide range of percentages of both men and women in the armed services report having experienced some form of sexual harassing behaviors within their roles in the U.S. military. Depending upon the survey methodology, estimates of the incidence of sexual harassment of military personnel range between 22% - 85% for women and 3% - 74% for men. A large body of evidence now exists showing that the costs of sexual harassment to the employer, whether military or civilian, in terms of lost productivity, high turnover, and litigation are severe. Research has not been limited to the deleterious effects of sexual harassment. A growing body of knowledge regarding effective methods of discouraging sexual harassment and minimizing the harm caused by incidents that do occur is available to the proactive employer.

This report presents the results of a study to determine the best practices that corporate America uses to deal with sexual harassment in the workplace. To accomplish the study, an extensive literature review and a telephone survey of Fortune 500 Companies were conducted. The next six Chapters present the findings of the study beginning with Chapter 2 covering the definition of sexual harassment; Chapter 3 summarizing the literature regarding the costs of sexual harassment both to organizations and individuals; and Chapter 4 reviewing the existing knowledge on the methodology for assessing the incidence of sexual harassment within organizations and evaluating existing survey measures according to their psychometric properties and appropriateness for utilization within the military environment. Chapter 5 reviews the literature on the predictors of sexual harassment and on the negative outcomes of sexual harassment in the workplace; and Chapter 6 presents the results of the telephone survey of the sexual harassment policies of Fortune 500 companies. Finally, Chapter 7 provides guidelines, based on the reviews and survey results, on how to develop an effective sexual harassment policy and summarizes the implications of this report for the U.S. Army.

II. Definition of Sexual Harassment

Sexual harassment is prohibited by Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunities Commission (EEOC) defined sexual harassment in its 1980 guidelines in the following way:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. (EEOC, April 11, 1980, 25025)

This definition is usually characterized as constituting two bases for the existence of sexual harassment--"quid pro quo" and "hostile environment." From a legal perspective, Peirce, Smolinski, and Rosen (1998) provide operational definitions of each type of harassment:

Quid Pro Quo

Encompasses all situations in which submission to sexually harassing conduct is made a term or condition of employment, or in which submission to or rejection of sexually harassing conduct is used as the basis for employment decisions affecting the individual who is the target of such conduct. In *Henson vs. City of Dundee* the court stated four elements that a plaintiff must prove to establish a case of *quid pro quo* sexual harassment:

- (1) that he or she belongs to a protected group under Title VII of the 1964 Civil Rights Act;
- (2) that he or she was subjected to unwelcome sexual harassment;
- (3) that the harassment complained of was based on sex; and
- (4) that the employee's reaction to the complained of harassment affected tangible aspects of the employee's compensation, terms, conditions, or privileges of employment.

Hostile Environment

Unwelcome and demeaning sexually related behavior that creates an intimidating, hostile and offensive work environment. The plaintiff need not show some tangible job detriment in addition to the hostile work environment created by sexual harassment. Although not every instance or condition of work environment harassment gives rise to a sex discrimination or sexual harassment complaint, a plaintiff who can prove a number of elements can establish a claim. The five elements are similar to those for quid pro quo:

- (1) The employee belongs to a protected group under Title VII of the 1964 Civil Rights Act;
- (2) the employee was subject to unwelcome sexual harassment;
- (3) the harassment complained of was based on sex;
- (4) the complained of harassment affected a term, condition or privilege of employment; and
- (5) the employer knew, or should have known, of the harassment in question and failed to take prompt remedial action.

While these legal definitions are important and do provide a background to understanding acceptable/legal behavior between members of work organizations, they fail to deal with the subtleties of interactions between individuals. What constitutes quid pro quo sexual harassment is fairly easy to understand--coercing an individual to engage in any form of sexual interaction is prohibited. This coercion does not have to rise to the level of rape (physical coercion) to be prohibited. Understanding what constitutes a hostile environment is more difficult to define and to understand. A hostile environment is possibly best explained as the less severe and moderately severe harassing behaviors as defined by the U.S. Merit System Protection Board:

Less Severe: unwelcome sexual remarks, suggestive looks and gestures, and deliberate touching

Moderately Severe: pressure for dates, pressure for sexual favors, and unwelcome letters and telephone calls (Fitzgerald, Gelfand & Drasgow, 1995, pp. 426-427)

These examples, however, are not exhaustive; and the behaviors that can be perceived as harassing can be quite subtle. Furthermore, sexual harassment, particularly in the case of a hostile environment, is a function of individual perceptions. Since perceptions are formed in a social environment, what is perceived as harassing will vary on the basis of the individuals involved and the situation in which the behavior occurs (Charney & Russell, 1994). Unfortunately, from the perspective of clarity and simplicity, behaviors that might be acceptable at a social event may be perceived as harassing when they occur on the job.

These subtleties create significant difficulty for the measurement of sexual harassment. As indicated in Chapter 4 of this report, the measurement of sexual harassment has been quite problematic.

III. Impact of Sexual Harassment on Organizations and Individuals

Incidence of Sexual Harassment

Estimates of the prevalence of sexual harassment vary widely among studies. The Department of Defense (DOD) Survey of Sex Roles in the Active Duty Military conducted from December 1987 to December 1988 indicated that, based on the year prior to the survey, 64% of female respondents sampled from several branches of the armed services experienced at least one form of sexual harassing behavior (Martindale, 1988, 1991). Results of the 1991 Navy Equal Opportunity/Sexual Harassment Survey indicate that 60% of female officers and 74% of female enlisted respondents reported being the target of one or more behaviors which meet the criteria for sexual harassment, although only 33% of the female officers and 44% of the female enlisted personnel appraised their experiences as sexual harassment. A survey of U.S. Army soldiers from combat support and combat service support units showed that 85% of female respondents reported being the target of at least one behavior which meets the criteria for sexual harassment within the year preceding the survey (Rosen & Martin, 1998). Although 55% of the women in this survey indicated being the target of unwanted sexual attention and 15% reported experiences of sexual coercion, imposition, or assault, only 30% appraised their experiences as sexual harassment. Surveys of civilian women in the U.S. workforce have resulted in similar estimates of the proportion of women who are targets of sexual harassment. Estimates range from 15% of women employed by Fortune 500 companies (Walsh, 1995) to 42% of women employed by the U.S. government (USMSPB, 1981). The proportion of women in managerial positions who have experienced sexual harassment has been estimated at 36% in one national sample (Peirce, Rosen, & Hiller, 1997) and at 59% in a second sample (Walsh, 1995). Gruber's (1992) review of sexual harassment survey results reported rates of female victimization ranging from 33% - 69% in the general population, 42% - 59% in the public sector, and 36% - 75% in the private sector.

Less attention has traditionally been paid to the sexual harassment of men, but researchers in the field are gradually coming to realize that men may be similarly targeted and equally affected by sexually harassing behaviors, although the typical form of harassment that men experience may differ from that experienced by women. The 1987-1988 DOD Survey of Sex Roles in the Active Duty Military showed that, over a one-year period, the prevalence of experiences of sexually harassing behaviors among male respondents sampled from several branches of the armed services was 17% (Martindale, 1991). While only 8% of male enlisted and 2% of male officer respondents appraised their experiences as sexual harassment in the 1991 NEOSH Survey, 21% and 7%, respectively, reported being the target of one or more behaviors which meet the criteria of sexual harassment (Culbertson, Rosenfeld, & Newell, 1993). Results of a survey of federal employees in 1988 indicated that 14% of the men surveyed said they had experienced sexual harassment (Clode, 1988). Most striking, however, are the results of Rosen and Martin's (1998) survey of Army personnel, which indicate that 74% of male soldiers said they had experienced at least one behavior that meets the criteria of sexual harassment over the one-year period preceding the survey, however, only 8%

of these male soldiers appraised their experiences as sexual harassment

Impact of Sexual Harassment on Job Performance

Numerous studies document that sexual harassment has a negative effect on workers' job performance and longevity of employment. Effects include loss of confidence in superiors, deteriorating relationships with co-workers, lower productivity, organizational withdrawal, increased absenteeism, and increased turnover. A 1997 Army survey regarding sexual misconduct revealed that a majority of the soldiers surveyed indicated belief that their training was inadequate and that their officers would not lead well in combat, beliefs that were associated with tolerance of sexual harassment (Komarow, 1997). Deteriorating relationships with coworkers have also been reported by individuals who report being targets of sexual harassment in independent surveys by several researchers (Gutek, 1985; Loy & Stewart, 1984; Morrow, McElroy, & Phillips, 1994). Lost productivity tends to occur among individuals who are targets of sexual harassment, in part because of increased levels of stress (e.g. Crull, 1982; Morrow et al., 1994) and decreased ability to concentrate. Attempts to avoid the harasser and further harassment may lead to increased absenteeism (Fitzgerald, Drasgow, Hulin, Gelfand, & Magley, 1997; USMSPB, 1981, 1987), including use of unplanned leave or liberty and reporting to sick call among military members (Culbertson & Rosenfeld, 1994). Increased turnover intentions and actual turnover among highly qualified employees experiencing sexual harassment have been documented by a number of researchers (Coles, 1986; Crull, 1982; Fitzgerald et al., 1997; Loy & Stewart, 1984). Women who report being targets of sexually harassing behaviors often report negative affective responses not only toward the harasser, but also toward supervisors and the organization for which they work. Among a national sample of federal employees, 36% of harassed women expressed negative feelings about their work (USMSPB, 1981). Sexual harassment has also been shown to be associated with decreased morale (USMSPB, 1981, 1987), feelings of fear and humiliation (Peirce et al., 1997), and less satisfaction with work, supervision, promotions, and organizational commitment (Morrow et al., 1994), as well as decreased self-esteem for both the self and the self as a member of the organization in cases in which a supervisor fails to acknowledge ongoing harassment or blames the victim or target of the harassment (Peirce et al., 1997).

Decreases in productivity and worker longevity inevitably lead to monetary losses for the organization. Costs associated with sexual harassment to civilian organizations and the federal government include those associated with hiring new employees to replace those who leave due to sexual harassment experiences, paying insurance claims for employees seeking professional help due to physical and/or emotional distress, paying sick leave, costs associated with reduced productivity of individuals and groups, costs associated with litigation regarding sexual harassment, and finally costs required for management and minimization of damage to organizational reputation through public relations. A calculation by Maze (1992) estimated that sexual harassment was costing the military services as much as \$40 million dollars per year at that time in lost productivity and absenteeism. The U.S. Merit Systems Protection

Board (1988) estimated that sexual harassment cost the federal government \$267 million between 1985 and 1987, including \$36.7 million for replacing employees who left their positions, \$26.1 million in sick leave pay to employees who missed work, and \$204.5 million for reduction in individual and work group productivity. Crawford (1993) reported that a 1988 survey of Fortune 500 companies found that costs of sexual harassment for a company of about 24,000 employees were estimated at \$6.7 million per year.

Impact of Sexual Harassment on Individuals

In addition to the negative effects on the organization of sexual harassment in the workplace summarized above, research has consistently found negative effects on individuals. The types of psychological symptoms experienced by victims of sexual harassment include depression, guilt, humiliation, embarrassment, social isolation, a decrease in self-esteem, anxiety, anger and fear (Peirce et al., 1997; Schneider, Swan, & Fitzgerald, 1997; van Roosmalen & McDaniel, 1998). Symptoms of physical stress resulting from sexual harassment include sleep and energy problems, nausea, body pain, illness, and psychosomatic symptoms (Bursten, 1986; Sandroff, 1988; van Roosmalen & McDaniel, 1998). Most importantly, negative physical and emotional responses are experienced by a majority of women who have been sexually harassed. For example, Loy and Stewart (1984) reported that 75% of sexually harassed women in their sample experienced one or more symptoms of emotional or physical distress. The 1991 NIOSH Survey found that most enlisted women who were victims of sexual harassment reported negative psychological effects and that these effects were more frequent among victims lower in the organizational hierarchy (Culbertson & Rosenfeld, 1994). Furthermore, the negative effects were not limited to women - Rosen and Martin (1998) found that the men who experienced sexual coercion also reported significant negative psychological effects.

In summary, research has consistently found evidence of sexual harassment in the workplace across public and private organizations. The sexual harassment has negative psychological effects on individuals and translates into real costs to organizations in lost productivity, absenteeism, and lost revenues.

IV. Measurement of the Incidence and Determinants of Sexual Harassment

Psychometrics of the Measurement of Sexual Harassment Incidence

The Construct of Sexual Harassment

Sexual harassment can be enacted and experienced in a potentially infinite variety of ways (Fitzgerald, Hulin, & Drasgow, 1994). Therefore, it is necessary to design questions or statements which are sufficiently numerous and varied in content to be likely to cover the full set of behaviors that individuals may have experienced and may consider to be sexual harassment. These questions or statements must be clearly and specifically worded to the degree that individuals who have not experienced such behaviors will not endorse them. In other words, because of differential experiences and perceptions of behaviors among respondents, assessment of multiple indicators of the construct of sexual harassment are essential to ensure the specificity and sensitivity of the instrument. The set of questions must also be minimized in number in order to make administration of the measure possible within a reasonably short period of time. The item set representing the construct of sexual harassment must also be consistent with the legal definition of sexually harassing behaviors that governs the actions and rights of respondents in any organization (Fitzgerald et al., 1994). The items should include and be limited to description of the types of behaviors that meet the legal criteria for sexual harassment within the referent setting. Thus, questionnaire items which are used for assessment of experiences of personnel employed by the U.S. Army must be tailored to the definition of harassment as set out by the Department of Defense (DOD) and the Army in particular, which may preclude use of instruments constructed and validated for use within the civilian sector.

A major failing of instruments developed as of 1998 to assess sexual harassment is the lack of adequate measurement of the "less severe" types of harassment that, when occurring with sufficient frequency over a period of time, would constitute the creation of a hostile environment and thus meet the legal definition and criteria for sexual harassment. These types of behaviors include both gender harassment (telling suggestive stories or offensive jokes, sexual or seductive remarks, staring or ogling, sexist remarks, and differential treatment on the basis of gender) and seductive behaviors (unwanted sexual attention, unwanted discussion of personal or sexual matters, and sexual propositions). Investigators, to date, have based estimates of the prevalence of a hostile environment on reports of whether any type of gender harassment or seductive behavior is reported as occurring at all during a one-year period. Determining the frequency that these types of behavior, or the overall group of behaviors, must occur in order to create a hostile environment has not as yet been done. There are currently no legal guidelines for this determination. Failure to measure the frequency of such behaviors may lead to overestimation of the prevalence of sexual harassment in the workplace and does not provide the quantitative information that is needed to estimate and define what constitutes a hostile environment.

Equally important to assessment of the full range of behaviors meeting the legal definition of sexual harassment is to tailor items to the organization and population being surveyed. Behaviors reported to be sexual harassment by soldiers deployed in the field may differ substantially from those reported by officers and enlisted personnel working within a "nine to five" office environment. Differences in perceptions of what is sexually harassing behavior may also be evident between younger vs. older individuals, between women vs. men, between regular vs. reserve military personnel, between officers vs. enlisted personnel, and between personnel working at installations within the U.S. vs. those working outside of the U.S.. Fitzgerald et al. (1994) suggest that the theoretical construct of sexual harassment be used to develop a large bank of items. Each item should be tied to a base item set through psychometric evaluation. Then items appropriate to the setting within which a particular subgroup of respondents works could be selected to provide a valid assessment. Insufficient research is available at this time to fully specify the range of probable types of sexual harassment across settings. In order to assess the types of experiences that may constitute sexual harassment within settings unlike the civilian office environments used to establish reliability and validity of the existing sexual harassment surveys, confidential qualitative assessment interviews with a representative sampling of personnel in each particular setting of interest would be required. Additional information could be gained from a comprehensive review of sexual harassment complaints within an organization ; however, it is important to remember that many who experience sexual harassment do not file formal complaints.

When investigating sexual harassment, it is important to keep in mind that it is only one type of harassment/coercion/intimidation/discrimination that can occur in the workplace. Keashly (1998), for example, details numerous forms of workplace harassment which occur frequently and do not have a sexual basis. While these behaviors may often occur between workers of opposite sexes, they would not be considered sexual harassment. Likewise, all types of discrimination occur in the U.S. workplace; gender discrimination is only one type. In addition, gender discrimination is a different construct from sexual harassment. Any instrument purporting to measure sexual harassment must carefully differentiate among general harassment, harassment of a sexual nature, and gender discrimination.

On the other hand, an organization concerned about the impact of harassment on the organization and its employees would be well served by attending to both the measurement and control of all forms of harassment and discrimination. Keashly (1998) cites numerous studies that link emotional abuse in the workplace to the same kinds of negative individual and organizational outcomes that were summarized in the previous chapter for sexual harassment. Individual worker well-being as well as organizational effectiveness would be enhanced by an organizational approach that considers a wide range of abusive behaviors in their assessments and in their prevention programs.

Behavioral Wording

Items to assess sexual harassment must be worded in behavioral terms, that allow the respondent to report whether he or she has ever enacted and/or been the recipient of the specified behavior. For example, the item "Have you seen posters, photographs, screen savers or other visual representations of people that are sexual in nature in your workplace?" would be preferable to an item asking "Have you experienced sexual harassment in the form of offensive pictures of a sexual nature displayed in your workplace?" Items should be worded in such a way that the respondent is not required to make value judgments or to evaluate whether their own or others' actions constitute sexual harassment. Appraisals of a behavior as meeting the criteria for sexual harassment vary widely among individuals (Terpstra & Baker, 1988) and even between civilian and military definitions of sexual harassment, as reviewed earlier. In order to ensure an accurate report of the experiences and behaviors of each respondent, it is vital to begin any sexual harassment questionnaire by asking respondents about particular experiences in an objective manner that avoids any implication of either the respondent's or the researcher's judgments of the desirability or acceptability of the behavior or situation being described.

As a corollary to behavioral wording, the questionnaire section assessing behaviors constituting sexual harassment should avoid any use of the phrase "sexual harassment" or any other phrase connoting negative judgments of the described behaviors. If the section is titled "Sexual Harassment," as seen in the 1989 and 1991 NIOSH Surveys (Culbertson, Rosenfeld, Booth-Kewley, & Magnusson, 1992; Culbertson et al., 1993), respondents will tend to incorporate their own value judgments into their selection of responses, regardless of the wording of each item. Any labeling of behaviors as harassment should occur only after behavioral assessment is completed, and should not appear on the same page as behavioral items. Appraisal of enacted and experienced behaviors as sexual harassment is indeed a vital part of assessment and should be included in surveys of sexual harassment, but should be positioned after objective assessment of experiences to increase the likelihood that respondents will accurately provide their experiences.

Responses to identical items on questionnaires regarding sexual harassment have been shown to vary as a function of statements preceding the items, and also as a function of respondents' appraisals of others' behaviors as constituting sexual harassment. One example of this is found in the U.S. Navy's comparison of different ways to measure sexual harassment. In 1991, two alternate forms of the Navy Equal Opportunity/Sexual Harassment (NEOSH) Survey were administered to separate random samples of Navy personnel. On both forms, the section of the survey assessing sexually harassing behaviors was entitled "SEXUAL HARASSMENT." The Standard Form included the full definition of behaviors meeting the criteria for sexual harassment prior to item presentation and asked only those respondents who said that they had been sexually harassed to indicate the frequency of the sexual harassment behaviors they had experienced over the last year. In the Research Form, the "SEXUAL HARASSMENT" heading was followed by an abbreviated statement that did

not specify the conditions under which behaviors would meet criteria for sexual harassment, and did not require respondents to indicate if they had been sexually harassed. All respondents provided their experience with the sexually harassing behaviors listed in the form. Results indicated that the respondents who were first asked if they were sexually harassed, reported significantly fewer experiences with sexually harassing behaviors than did respondents who were not first asked if they had been sexually harassed. In terms of percentages, the women reported 41% - 45% fewer experiences; the men reported 62% - 71% fewer experiences.¹

The Navy document summarizing the findings of the 1991 NIOSH survey suggests that the respondent's appraisal of his/her experiences as sexual harassment is an essential element in determining whether the respondent has indeed been sexually harassed (Culbertson et al., 1993). However, the subjective appraisal of sexual harassment does not constitute criteria for the legal determination of whether sexual harassment has indeed occurred. Moreover, several researchers have shown that even among individuals reporting experiences that clearly meet the legal criteria for sexual harassment, few appraise their experiences as sexual harassment. For example, Fitzgerald et al. (1988) found that while over one-quarter of female university employees in their sample said they had been propositioned by male co-workers or supervisors, only 10% of that group indicated they believed they had been sexually harassed. Similarly, Stockdale and Vaux (1993) reported that among university employees who were the targets of sexual requests made by coworkers or supervisors that were accompanied by bribery and verbal coercion, only 26% of the female respondents and 23% of the male respondents appraised those experiences as sexual harassment. In this same study, for respondents who said they experienced forcible attempted or completed rape by co-workers or supervisors, only 35% of the female respondents and 47% of the male respondents considered these attacks to constitute sexual harassment. The difference in perception of what constitutes sexual harassment and what defines the legal criteria for sexual harassment need to be considered in the design of any instrument assessing the issue. The documentation of experiences with specific concrete behaviors should be assessed separately from any section that requires appraisal and labeling of these behaviors.

Increasing Order of Severity

A second technique recommended in attempts to ensure unbiased responding is to present items assessing the nature of experienced or enacted harassing behaviors in increasing order of severity of behaviors (Fitzgerald et al., 1995). This is recommended for two reasons. Many individuals may not identify behaviors included in definitions of sexual harassment as offensive or as inappropriate within the workplace. Respondents may be more likely to endorse experiences and/or behaviors which are perceived to be relatively innocuous and not marked by social undesirability. Presenting less severe behaviors first within the assessment helps to ensure nondefensive responding to these

¹ Percentage calculations are based upon percentages reported by Culbertson, Rosenfeld, & Newell (1993, p. 24).

items. Secondly, presentation of items in such a way that gradually escalates in severity may avoid unintentional conveyance through the questionnaire itself of the inappropriateness of more severe behaviors. It is important to avoid initial communication to participants of the social undesirability of a class of behaviors within the survey instrument to increase the likelihood that respondents will provide unbiased information about their experiences.

The Survey Sample

Once the goal of the survey has been carefully defined, the techniques used in sample selection can be chosen in accordance with that goal. In the case that the survey is being given in order to assess the Army-wide experience of sexually harassing behaviors, the ideal set of respondents to the survey consists, obviously, of all current members of the Army. When assessment of the entire target population is not feasible, stratified sampling that ensures a representative sample of the target population with respect to factors such as gender, race/ethnicity, rank, type of worksite, worksite location, pay grade, and job description is necessary. If the stratified sample is limited in size to the degree that representative sampling will provide an inadequately sized subgroup within any one factor to enable statistically meaningful comparison between groups, over sampling (also called "disproportionate stratification") may be utilized to remedy this problem (Culbertson & Rosenfeld, 1994; Edwards, Thomas, Rosenfeld & Booth-Kewley, 1997).

Existing Sexual Harassment Questionnaires

Sexual Experiences Questionnaire

The Sexual Experiences Questionnaire - Revised (SEQ-R; Fitzgerald et al., 1995) is the most sophisticated measurement instrument available to date for assessing experiences of sexual harassment. It has been utilized in over 100 studies of sexual harassment in varying populations since its development a decade ago. This includes samples of U.S. Army personnel (Rosen & Martin, 1998). The SEQ-R was designed to assess experiences of sexual harassment based on a construct incorporating both a theoretical psychological perspective on the phenomenon as well as the civilian Equal Employment Opportunity Commission (EEOC) guidelines on the definition of sexual harassment. Its three dimensions assess the occurrence of sexual harassment within the categories of hostile climate, operationalized through the factors Gender Harassment and Unwanted Sexual Attention, and quid pro quo, operationalized by the factor Sexual Coercion (Fitzgerald et al., 1997). Each of its 18 items is answered using a 5-point Likert-type frequency scale with anchors "never" and "most of the time."

The SEQ-R meets the majority of the criteria discussed above as important in the design and critical evaluation of potential survey instruments for assessing exposure to sexual harassment. This measure incorporates the (civilian) legal definition of sexual harassment, has been shown to incorporate a range of items relevant to

sexual harassment in the civilian office work environment, utilizes behavioral wording of times, avoids use of the term "harassment" within individual items and in headings, and presents items in order of increasing severity.

Psychometric evaluation of the SEQ-R indicates adequate to excellent validity and reliability on standard evaluation criteria. Test-retest reliability has been reported at $r = .86$ over a two week period. The predictive validity of the instrument has been shown through the association of higher scores with less satisfaction with coworkers and supervisors, higher levels of organizational withdrawal, lower organizational commitment, higher psychological distress, and direct and indirect effects on physical health (Arvey & Cavanaugh, 1995). The three factor structure has been replicated in workplace settings and cross-culturally (Gelfand, Fitzgerald & Drasgow, 1995). Overall internal consistency has been reported at $\alpha = .86$ in an employee sample (Fitzgerald et al., 1988), and a second study established coefficient alphas of .81 for Gender Harassment, .82 for Unwanted Sexual Attention, and .41 for Sexual Coercion within a sample of 357 female respondents employed at a large West Coast utility (Fitzgerald et al., 1997). The low coefficient alpha observed within the Sexual Coercion subscale is thought to be due to the very low base rate of these severe behaviors and would not necessarily be cause for concern. However, the three factors are highly intercorrelated, with an average $r = .74$. Fitzgerald and her colleagues have suggested that to some degree this is simply a reflection of the reality that individuals who are subjected to sexually harassing behaviors may often be the target of more than one type of sexual harassment but also indicate that the high intercorrelations may be due in part to the limitation of the Gender Harassment subscale. This subscale may not be comprehensively assessing types of gender harassment that do not have a sexual referent (Fitzgerald et al., 1997). As gender harassment has been shown to be serious and even potentially physically dangerous in traditionally male-dominated occupations, this limitation of the SEQ-R should be corrected if considering the use of the SEQ-R for assessment of military personnel.

Another limitation to the use of the SEQ-R is the lack of adequate measurement of the frequency of behaviors potentially meeting the criteria for constituting a hostile climate or environment. As discussed previously, without a rigorous attempt to assess the frequency of these minor to moderately severe behaviors, it is difficult to estimate the number of individuals who are experiencing either the incidence or the magnitude of behaviors that would constitute elements of an overall hostile climate. Unfortunately, no instrument with adequate psychometric evaluation has to date been developed for this purpose.

Sexual Harassment Inventory

The Sexual Harassment Inventory (SHI; Murdoch & McGovern, 1998) is a recently developed 20-item instrument designed to assess prevalence of exposure to sexual harassment. Development of the instrument incorporated determination of factor structure and internal reliability based on responses from a sample of female veterans who had sought medical and/or psychiatric treatment at a veterans hospital

located in the Midwest. The SHI differs from the SEQ-R in a number of ways, most notably in that severity weights for each type of sexually harassing behavior were developed. The instrument, however, incorporates a dichotomous yes/no answer format and yields no information regarding the frequency of sexually harassing behaviors encountered by the respondent. Because only preliminary development information has been reported, no additional studies utilizing the instrument have been published, and no information regarding the external criterion validity or predictive validity of the instrument is available. Therefore, evaluation of the utility of this instrument cannot be made at this time.

1989 & 1991 NIOSH Surveys

The 1989 and 1991 NIOSH Surveys (Culbertson et al., 1992, 1993) have been discussed above with reference to the limitations of the instrument to use behavioral wording of items, to use neutral headings, and to separate subjective appraisal of sexual harassment from reporting of exposure to behaviors that might constitute sexual harassment from a legal standpoint.

The NIOSH Surveys assessed respondents' perceptions of sexual harassment, the forms and frequency of incidents identified by respondents as constituting sexual harassment, respondents' and superiors' actions resulting from incidents of sexual harassment, and the effects of such incidents on the respondent. Although a number of peer-reviewed publications have been based upon these data, no reports of the validity or reliability of the sexual harassment section of the survey instrument could be located (e.g. Culbertson & Rosenfeld, 1994; Newell, Rosenfeld & Culbertson, 1995; Rosenfeld, 1994).

Survey Instrument Developed by DOD

The DOD Survey of Sex Roles in the Active Duty Military was implemented between December 1987 and December 1988 in order to determine the extent of sexual harassment in the military (Martindale, 1991). The survey included items such as general questions about sexual harassment, respondents' experiences of uninvited and unwanted sexual attention, and open ended questions designed to elicit suggestions for remedies to reduce sexual harassment in the military. As Martindale (1991) noted, the survey was developed without access to "standardized, behaviorally anchored definitions of terms and scales" (p. 201). Pryor (1995) reported in a study based on the data gathered in this survey that four psychosocial factors emerged from a principal components factor analysis of the personal outcomes affected by sexual harassment as measured by the survey; but unfortunately, no validity or reliability data have been published on the instrument among the peer-reviewed articles based upon these data (Martindale, 1991; Niebuhr & Boyles, 1991; Pryor, 1995; Pryor, LaVite & Stoller, 1993).

1991 Navy-wide Personnel Survey (NPS)

The 1991 NPS included a few items assessing sexual harassment experiences

(Culbertson & Rosenfeld, 1994), but there were too few items to permit adequate psychometric analysis of validity or reliability.

U.S. Merit Systems Protection Board Survey Instrument

The U.S. Merit Systems Protection Board Survey instrument assessed exposure to seven sexually harassing behaviors during the two years prior to the survey (USMSPB, 1981). The survey was introduced to respondents with the heading "SEXUAL HARASSMENT IN THE FEDERAL WORKPLACE: IS IT A PROBLEM?" (USMSPB, 1981, p. C-4). Items regarding personal exposure to sexual harassment were presented in decreasing order of severity. Respondents were subsequently asked to answer further questions about the effect of the experience which made the greatest impression in their minds. No psychometric evaluation data were published for this instrument.

In conclusion, at this point in time, the SEQ-R is the most well documented measure of sexual harassment in the literature. Additional development to overcome the limitations in assessing gender harassment and improve the method of measuring and determining what constitutes a hostile climate or environment would improve the instrument.

Assessment of the Determinants of Sexual Harassment and the Effects of Its Outcome

Any assessment of the causes of sexual harassment and of its outcomes necessarily focuses on several distinct and overlapping aspects of the behavior; namely, (1) the perpetration of the behavior, (2) the tolerance of sexual harassment, (3) the appraisal of a given behavior as sexually harassing, (4) the willingness to report sexual harassment, and (5) the degree of negative impact of the sexual harassment.

It is clear that for any of these aspects of sexual harassment, there is always an interaction between characteristics of the individual (the perpetrator, the victim or the bystander) and characteristics of the organization or context in which the harassment occurs. However, before addressing the individual and organizational predictors specific to these five aspects of sexual harassment, it is important to comment on the assessment of the general organizational climate, since this affects whether sexual harassment is likely to be perpetrated in the first place, whether or not it is tolerated in any given organization, whether a given behavior is perceived as harassment, whether an individual is willing to report its occurrence, and finally, the degree of its negative impact.

Equal Opportunity Climate

Landis (1990) defined *equal opportunity climate* (EOC) as "the expectation by an employee that work-related behaviors directed by others toward the person will reflect merit and not one's racial/ethnic group, gender, national origin or membership in any other minority group" (p. 29). Given that EOC variables have accounted for as much as

61% of the variance in commitment scores (Landis, Faley, & Dansby, 1992), it is an important aspect of the organization to assess and it would appear, on face value alone, to be potentially related to the prediction of sexual harassment.

Not surprisingly, perceptions of EOC frequently differ as a function of race, rank, and gender (Landis, Dansby, & Faley, 1993). For example, significant differences by gender were found on 14 of the 23 factors on the measure used by the Air Force to assess perception of equal opportunity (Spicher, 1980). Therefore, any systematic assessment of EOC requires a breakdown by gender, even when women are a small minority.

Several measures have been designed to assess EOC, among them the Organizational Effectiveness Package (OAP), developed by the Air Force to measure EOC, and more recently, the Military Equal Opportunity Climate Survey (MEOCS). The latter consists of items assessing the individual's expectation that certain behaviors have a high probability of occurring, items taken from the Racial Awareness and Perception Scale, items assessing organizational commitment, work-group effectiveness, and job satisfaction, and demographic items, including questions about the respondent's experiences with discrimination (Landis et al., 1993). The behavioral perception portion of this survey contains five orthogonal factors, among them sexual harassment and discrimination (10 items), differential command behaviors, positive command behaviors, racist/sexist behaviors, and reverse discrimination behaviors. Results indicate that women estimate that sexual harassment and discrimination behaviors are more likely to occur than do men.

A third instrument which also assesses EOC is the Perceptions of Fair Interpersonal Treatment (PFIT) scale (Donovan, 1990). It consists of two factors, supervisor treatment and coworker treatment, is positively correlated with job satisfaction variables, and is negatively correlated with work withdrawal, job withdrawal, experiences of sexual harassment, and the organization's tolerance of sexual harassment. It appears to be a reliable instrument and valid in that the significant correlations between the PFIT scale and other job-related variables do not appear to be attributable to common method variance or to employees' dispositions. In conclusion, some assessment of EOC would appear to be necessary in order to describe the overall context of the work environment. EOC would also be expected to interact with the following specific aspects of behavior related to sexual harassment.

Prediction of the Perpetration of Sexual Harassment

The research detailing an individual's propensity to engage in sexually harassing behavior has been conducted by John Pryor. The Likelihood to Sexually Harass (LSH) scale consists of ten hypothetical scenarios depicting a male with the power to control an important reward or punishment for a female target. The respondent is asked to imagine himself to be the male in the scenario and to use a Likert scale to rate his likelihood of engaging in sexual exploitation of the female. Pryor (1987) found the scale to be reliable, positively correlated with a measure of authoritarianism, unrelated to a

measure of social desirability, and positively correlated with a female confederate's rating of the subject's tendency to engage in sexual touching of her in an ambiguous situation in which touching was possible. Thus, Pryor provided good evidence of the validity of the LSH measure. However, even those individuals who scored high on the LSH scale were only likely to behave in a sexually harassing manner when local norms condoned it (Pryor, LaVite, & Stoller, 1993). Therefore, individual proclivities to harass appear to lead to sexual harassment only in interaction with organizational tolerance of harassment.

In addition to individual propensities to engage in sexual harassment, status differential is likely to affect the probability that an individual will engage in harassing behavior. For example, the most common harasser of women in managerial positions is the immediate supervisor or senior-level executive (Peirce et al., 1997). Similarly, four major military surveys reported that a sizable amount of harassment came from supervisors in an individual's chain of command (Culbertson & Rosenfeld, 1994). The implications of this vertical harassment for the tolerance, reporting and negative impact of sexual harassment will be discussed below.

Prediction of the Tolerance of Sexual Harassment

Both individual and organizational factors affect whether sexual harassment will be tolerated in any given organization. Given that coworkers and supervisors can be instrumental either in allowing the harassment to continue or in helping to establish the EOC which would decrease the likelihood of sexual harassment, the attitudes of others and of the organization need to be assessed. Rosen and Martin (1998) found that the tolerance of sexual harassment by male Army soldiers was significantly predicted by three indicators of negative attitudes toward women - hostility toward women, negative masculinity (associated with narcissistic and aggressive characteristics), and acceptance of women, which was negatively correlated with the other variables. In many ways, these are individual predictors of the EOC discussed above. It is also clear that individuals not engaging in harassing behavior themselves are nevertheless more likely to tolerate the behavior (or at least not complain) when the harasser is their superior officer as well.

Two measures which assess the organization's tolerance for sexual harassment include the 12-item Tolerance of Sexual Harassment Inventory (Lott, Reilly, & Howard, 1982) which assesses beliefs concerning victim provocation and the perspective that sexual behavior in the workplace is normal, natural, and harmless. A second measure, the Organizational Tolerance for Sexual Harassment Inventory (OTSHI; Hulin, Fitzgerald, & Drasgow, 1996), asks participants to report their perceptions of the likelihood of organizational reactions to various forms of harassment. It is a highly reliable scale ($\alpha = .96$) with consistent psychometric properties across six different scenarios presented by the instrument as well as across respondents in different organizations. Hulin et al. (1996) also found unexpectedly that female employees' perceptions of organizational tolerance for sexual harassment predicted more variance in negative outcomes than did the actual experience of sexual harassment itself. Thus,

this research suggests that it is important to assess the organization's tolerance for sexual harassment not only to account for the increased prevalence of harassment but also because individuals' perception of this organization tolerance will also lead to negative outcomes. This research is consistent with the findings of Culbertson et al. (1994) who conducted research with a Navy sample. It is also consistent with the findings of Rosen and Martin (1998), who found that men reported a more positive sense of psychological well-being as a function of their perception of the acceptance of women within their unit. Thus, for both men and women, organizational tolerance predicts sexual harassment and has an effect on negative outcomes independent of sexual harassment.

Appraisal of Behavior as Sexually Harassing

Even if a particular behavior occurs, it must be perceived as harassing by the individual (or by someone else). This appraisal of the behavior obviously affects whether or not it will be reported as such and may also predict its impact on the victim. This, of course, is why current assessment instruments of sexual harassment include both concrete descriptions of specific behaviors as well as questions regarding whether or not an individual feels that he/she has been harassed.

Appraisal, however, is somewhat more complicated than simply labeling a given behavior as harassing. It implies an assessment of the behavior as stressful, but also reflects general beliefs about harassment, including an attribution of blame or responsibility for the actions. Therefore, while it is assumed that appraisal simply reflects a assessment of the severity of a given behavior, research suggests that it does not (Stockdale & Vaux, 1993). Instead, Pryor (1985; Pryor & Day, 1988) has suggested that a behavior is more likely to be labeled as harassing if the perpetrator has acted in a similar manner toward other women (low distinctiveness), if he has acted in a similar manner toward the victim in the past (high consistency), and if he has acted in a manner that was inconsistent with other men's behavior (low consensus).

Appraisal may also implicitly include an attribution of blame toward oneself or toward the perpetrator, which may account for additional negative impacts of the harassment. A number of studies have found significant effects of appraisal on outcomes (Rosen & Martin, 1998; Stockdale & Vaux, 1993; Stockdale, Vaux & Cashin, 1995). It is not clear in these studies whether more severe harassment leads both to appraisal of the behavior as harassing and to worse outcomes or whether factors other than the behavior itself affect appraisal which then affects outcomes. The question is particularly important in that increased awareness of sexual harassment undoubtedly does lead to increased appraisal of behavior as harassing; while the goal of increased awareness is to prevent harassment or interrupt it in its early stages, there is always the possibility that increased awareness could lead to increased stress in and of itself.

Willingness to Report Sexual Harassment

A behavior must obviously be appraised as constituting sexual harassment before it will be reported as such. However, appraisal does not necessarily mean that it will be reported. A willingness to report is seen as a product of the interaction between individual and contextual variables (Culbertson et al., 1993, 1994; Culbertson & Rosenfeld, 1994; Hulin et al., 1996). Namely, an individual implicitly makes a judgment as to how efficacious she/he may be in reporting the behavior - the perception of risk to the self for reporting, the perception that complaints will not be taken seriously and the perception that the offender will ultimately not be sanctioned anyway. A woman's decision of whether or not to report is thus affected by her perception of an equal opportunity climate. However, it should also be noted that a man's decision of whether or not to report harassing behavior is affected by his willingness to risk the stigma associated with admitting that he, as a man, was harassed.

Obviously, vertical harassment (harassment by a superior officer) may preclude reporting because of fear of retribution. Alternatively, especially in organizations in which horizontal cohesion is highly valued, horizontal harassment (harassment by a peer or coworker) may preclude reporting of the behavior because of a continued need to feel part of the group as well as a fear of negative reactions from other coworkers (Gutek & Koss, 1993). These barriers to reporting need to be considered in the initial assessment of sexual harassment in an organization as well as in the establishment of any harassment prevention program.

Degree of Negative Impact of Sexual Harassment

Any assessment of the negative impact of sexual harassment must isolate its effects from the effects of other variables which are correlated with both harassment and outcomes (Schneider et al., 1997). Most obviously, general job stress must be measured to determine if the sexual harassment has effects on job-related outcomes and psychological well-being beyond those of general job stress. Furthermore, a work climate that is discriminatory toward women may contribute both to the increased occurrence of sexual harassment and also to independent negative effects on the psychological well-being of individuals in the organization (Hulin et al., 1996; Rosen & Martin, 1998). Thus, an assessment of an equal opportunity climate is essential to provide a context for understanding the negative effects of harassment experienced by individuals within a given organization. However, it is important to note that when researchers have controlled for these effects of the job, they have found that sexual harassment exerts considerable negative impact on employees over and above that attributable to quotidian job stressors (Fitzgerald et al., 1997).

A number of other factors have been identified which appear to affect the degree to which the experience of sexual harassment will have a negative impact upon the victim. For example, Fitzgerald (1990) has developed a Coping with Harassment questionnaire which assesses how an individual responds to a harassing situation - whether he/she relies upon emotion-focused strategies which involve internally-focused

attempts to manage the cognitions and emotions associated with the experience or upon problem-focused strategies which involve externally-focused attempts to solve the problem of the harassment. As is the case with other research on stress and coping, the problem-focused strategies appear to be associated with a more positive outcome. Other mediators of outcome include appraisal of the situation (as was mentioned previously). It is not clear whether a trauma history would also predict increased negative response to sexual harassment; PTSD research on the effects of preexisting trauma history on the effects of combat exposure suggests that it may indeed mediate outcome.

Finally, as was briefly reviewed in Chapter 3, an assessment of the effects of sexual harassment needs to include both a consideration of the effects on the individual as well as on the organization. Schneider et al. (1997) discussed the assessment of job-related effects of sexual harassment, including work attitudes (satisfaction with work, co-workers, and supervision, and intrinsic commitment to the organization), and work behaviors (work withdrawal, including absenteeism, tardiness and unfavorable job behaviors, and job withdrawal, including likelihood and thoughts of resigning). Psychological outcomes typically include anxiety, depression, life satisfaction, and PTSD. Finally, it is important to assess whether the prevalence of sexual harassment has negative outcomes on the organization and on coworkers even if they themselves have not personally experienced harassment. The literature on organizational tolerance of sexual harassment suggests that it definitely does have negative effects for both men and women (Hulin et al., 1996; Rosen & Martin, 1998).

In conclusion, a thorough assessment of sexual harassment needs to consider more than just the prevalence of the behavior, although that is obviously a necessary start. In order to make decisions about the most efficacious ways to prevent sexual harassment or to intervene in a problematic work climate, it is important to evaluate the individual and organizational predictors of its occurrence and its reporting. It is also important to make sure that the strategies of intervention and the goals of interventions are consistent with the overall climate that the organization seeks to attain.

V. Current Practices of Large Corporations

Beyond assessing the state of the art with respect to the measurement of sexual harassment in the workplace, the main goal of this report is to describe the sexual harassment policies and procedures of large U.S. corporations. At present, there are no systematic studies which describe the types of sexual harassment policies employed by large corporations or how these corporations go about implementing the policies and practices surrounding them. We undertook a survey of large corporations regarding the nature of their sexual harassment policies, the strategies that they employ to communicate these policies to managers and employees, the training that they conduct with respect to their sexual harassment policies, and how they attempt to measure the effectiveness of their policies.

Method

Sample

From the list of "Fortune 500" corporations, all of the "top 25" and 17 of the "second 25" companies were the basis for selecting our sample. Companies were selected to participate in the study based on similarity in workforce, type of product or service, and/or organizational structure to the U.S. Army. In total, ninety-eight (98) of the "Fortune 500" companies met these criteria and were selected to participate in the study. Of the 98 firms that were selected, 55 agreed to participate and completed the telephone survey (a 56% response rate).

In terms of type of companies completing the survey, 27% of them were in financial services, 22% produced industrial products, 18% produced consumer products, 12% were in the chemicals or petrochemicals business, 10% were in retail, 10% were in telecommunications/ information technology, and 2% were public utilities.

Survey

The telephone survey consisted of nine questions. Respondents were first asked if the organization had a policy regarding sexual harassment and were asked to send a copy of the organization's sexual harassment policy to the researchers. Three open-ended questions were asked regarding communication of any existing sexual harassment policy to employees and managers, and the organization's efforts to evaluate the effectiveness of the sexual harassment policy. Additionally, respondents were asked to provide the gender and age breakdown of both nonexempt employees and managerial staff, and to nominate other companies which they perceived to be benchmarks with regard to sexual harassment policy.

Procedure

Initial contact with each company was made through a letter informing the top executive

responsible for Human Resources and/or EEO Compliance of the purpose of the study and stating that he/she would be contacted within the next several months by telephone by one of the three researchers authoring this study. Confidentiality regarding participation in the study and the information provided to the researchers was assured. The participation of the executive or an appropriate subordinate in a short telephone survey was requested. Several telephone contacts were usually required in order to determine the respondent designated by the company and to arrange a time to complete the survey. Whenever necessary, initial telephone contacts were followed by a second copy of the informational letter to assure company executives of the purpose and legitimacy of the study. At their request, several respondents were also provided with a written copy of the survey questions prior to responding. In addition, each organization's Internet web site was searched for information regarding sexual harassment policies and communication of the policies to employees.

Respondents

The professions and levels of corporate responsibility held by the employees designated to complete the telephone survey varied. Twenty percent were senior vice presidents or vice presidents, 14% were corporate executives or senior-level managers, 26% were division directors, 28% were managers, 4% were support staff. Half of the respondents were employed within the Human Resources or Personnel departments of their organization; 39% held jobs specifically designating them as responsible for Equal Employment Opportunity compliance; and 10% were employed within their organizations' legal departments.

Survey Results

Sexual Harassment Policy

Fifty-three (96%) of the organizations surveyed reported that they had policies specifically prohibiting sexual harassment. Two companies (4%) reported that their sexual harassment policy was incorporated into a general policy prohibiting all types of harassment.

Respondents identified many methods of communicating their sexual harassment policy to employees. The most frequently cited method was notices posted on bulletin boards (76%). More than half of the companies surveyed (60%) indicated that the sexual harassment policy was verbally reviewed with new employees during orientation. Many companies (65%) ensure that all employees receive a written copy of the sexual harassment policy by including it in employee handbooks (46%) and/or providing a copy of the policy to new employees during orientation (40%). A significant subgroup stated that the sexual harassment policy is posted on the company intranet and thus available to all employees (38%). Sixteen respondents (30%) indicated that company magazines or other publications have been used to discuss sexual harassment policy and issues related to sexual harassment.

In their efforts to maintain awareness of sexual harassment policy, thirty seven companies (67%) send all employees either periodic memoranda, notices sent out with paychecks, brochures, or E-mail messages regarding the policy. Two companies send such messages out at least twice a year, seventeen do so on an annual basis, and thirteen do so every two to five years; the remaining fifteen companies did not specify how often they sent out messages. Thirty-nine (71%) companies send memoranda, brochures, or E-mail to managerial staff regarding sexual harassment policy. One respondent indicated that messages are sent to managerial staff on a quarterly basis, seventeen do so annually, and two do so every two to five years; the remaining 19 companies did not specify the frequency with which managers were contacted.

General Employee Training

About 80% of the respondents indicated that some form of general employee training related to sexual harassment policy is provided to at least a subgroup of non-supervisory employees². Of the 80%, 22 companies provided estimates of the percentage of their non-exempt employees who had received training during 1998,

- two reported that between 1% and 4% had been trained
- nine reported that between 25% and 50% had been trained,
- seven reported that 70% to 100% had been trained
- four reported that none of the organizations' non-supervisory employees had been trained on sexual harassment issues during that year.

Only 35% of the respondents said their companies required mandatory training at some point for all employees, and only 22% required annual or biannual training of all employees. For those companies saying that they provided either voluntary or mandatory training programs targeted to general employees, the range of hours of training was from 0.75 hours to 4 hours.

General employee training was provided through a number of different formats. Twenty-one companies (38%) indicated that "stand-up" training was provided in a classroom format. Eight of these companies (15%) reported using skilled trainers, who were either outside contractors or members of their own Human Resources departments, to lead training sessions. In three cases (6%), scripted training materials were provided to area managers, who then delivered the training. A number of methods were used in general employee training, including slides (6%); videotapes (20%); computerized training packages provided on CD-ROM, diskettes, or over the company intranet (8%); presentation of case studies of sexual harassment scenarios (16%); interactive discussion (20%), participant role-play (7%), and quizzes (7%).

² Six of the 37 respondents describing training programs (12.2%) stated that the organization was currently in the midst of developing or updating training programs on sexual harassment policy for employees.

Managerial Training

A much larger percentage of the companies surveyed indicated that training regarding sexual harassment issues is provided to managerial staff than to non-supervisory employees. All 55 companies provide training to at least a subgroup of managers, and 48 make training available to all managers. Respondents at twelve companies estimated that between 75% and 100% of the managerial staff had been trained during 1998. At eight companies, between 25% and 50% of the managerial staff had been trained during 1998, and at another two companies, 10% - 20% of the managerial staff had been trained during that period. Two respondents indicated that none of their companies' managerial staff had received training on sexual harassment issues, although one of these companies projects that 100% of their managerial staff will be trained during 1999.

Twenty-nine respondents (53%) indicated that training for all managers is mandatory at a minimum of one time during the individual's career. One of these companies requires semiannual training, seven of these companies require annual training, one requires training every three years, one requires training every six years, and the remaining six require training only once during every manager's career. One respondent indicated that training is mandatory only for managers in the state in which the company headquarters are located. Voluntary training is made available to all managers by six organizations (11%), while three provide voluntary training only to a subset of managerial employees. The remaining 15 companies (28%) did not indicate whether managerial training was mandatory or voluntary. Sixteen of the companies that mandate managerial training on sexual harassment issues said the length of that training ranged from 1.5 hours to 5 hours.

Several companies indicated that training on sexual harassment policy and issues would be mandatory for a targeted individual under certain circumstances. Twelve respondents (22%) noted that training is provided to particular managers when the Human Resources department becomes aware of a sexual harassment incident involving the manager or within his/her division. Only one company (2%) provides no managerial training other than targeted mandatory training after a problem in a particular division is identified. Twelve respondents (22%) additionally indicated that the company would provide some form of training regarding sexual harassment issues to a particular division upon a manager's request, while two companies (4%) specifically indicated that they do not provide this service.

The focus and intensity of managerial training varies amongst the 55 companies. Nineteen respondents (35%) indicated that an emphasis is placed on sensitizing managers to the different forms that sexual harassment may take. Surprisingly, only 17 respondents (31%) mentioned that managers are trained on how to respond to complaints of sexual harassment, and one respondent (2%) indicated specifically that this topic is not covered in managerial training.

Methods of providing training to managerial staff also vary widely among companies. Twenty-eight respondents (57.2%) indicated that company training is provided in a "stand-up" classroom format; nine of these companies (18.4%) reported using skilled trainers either from their own Human Resources department, or through hiring outside contractors. Ten respondents (20.4%) indicated that all managerial training is provided through alternate methods and does not include face-to-face training. Respondents identified a variety of media and methods used in managerial training, including videotapes (30.6%); computerized training packages provided on CD-ROM, diskettes, or over the company intranet (8.2%); slides (4.1%); interactive discussion (40.8%); presentation of case studies of sexual harassment scenarios (12.2%); quizzes (6.1%); and participant role-play (6.1%).

Evaluation of the Effectiveness of Sexual Harassment Policy

Almost two-thirds (60%) of the 55 companies surveyed indicated that they evaluate the effectiveness of their sexual harassment policy in some way. Twenty-nine respondents (53%) indicated that the company monitors internal and/or external complaints, and views complaints as a negative indicator of the policy's effectiveness. Five respondents (9%) specifically indicated that they interpret a relatively high level of internal complaints as an indication that the sexual harassment policy is effective. Three companies (6%) indicated that they track the cost of sexual harassment allegations to the organization, both in monetary terms and in work-hours.

Twelve respondents (22%) reported that employee surveys are used in the organization's evaluation of sexual harassment policy. In four companies (7%), survey questions are limited to evaluation of general satisfaction with the company. Three organizations (5%) use surveys to evaluate employees' knowledge regarding sexual harassment and other "diversity" issues, and five (9%) directly survey employees regarding their own experiences of sexual harassment and/or of managers' responses to sexual harassment allegations.

Summary of Survey Results

Existence of Sexual Harassment Policies

As one might expect, 96% of the responding companies have sexual harassment policies. That even 4% do not, however, is somewhat surprising. Almost every expert writing on the "do's and don'ts" of sexual harassment emphasizes the importance of making the corporate policy explicit regarding sexual harassment.

Communication of Sexual Harassment Policies

Organizations responding to our survey utilized a wide range of media to communicate their sexual harassment policy. Bulletin boards, employee handbooks, letters and memos, company magazines and newsletters, and company intranets are among the most popular. Many companies employ a restricted number of these media;

and for the most part, there seems to be little coordination in the use of multiple media. It was a rare case when the organization had a coordinated plan for the use of multiple media to communicate the company policy to managers and employees. It should be noted, however, that two-thirds of the companies reported the use of periodic updates in their communication strategies. Several companies do this as often as two times per year.

Training on Sexual Harassment Policies

Only 25% of the responding organizations have mandatory training of general employees. The techniques utilized in this training vary from the use of skilled trainers to video tapes to untrained line managers. In contrast, all organizations train at least a subgroup of managers. Within half of the organizations, however, this training is not required. Often, the training is a response to problems arising in a particular work unit. It would be safe to characterize the training of the responding group as being "spotty." On the other hand, the importance of training appears to be gaining momentum. In the upcoming year, more companies will be training both employees and managers; and many of these companies will be training 100% of their workforces.

Evaluation of the Effectiveness of Sexual Harassment Policies

Two-thirds of the responding companies attempt to measure the effectiveness of their sexual harassment policies in some fashion, although this tends to be quite cursory. Most frequently, this involves monitoring internal and external complaints. Some organizations see complaints both internal and external as being indicative of problems. Other organizations, however, realize that a good communication and training program could have the effect of increasing internal complaints. These companies tend to focus on external complaints as a measurement of the effectiveness of the sexual harassment policy--while good communication and training might increase internal complaints, a good program should decrease external complaints. One organization reported that evidence of their improvement in sensitizing workers to the existence of sexual harassment comes from increased rates of same-sex harassment complaints (even though opposite-sex complaints continue to predominate). Apparently, they believe that employees are now more willing to risk the stigma associated with same-sex harassment complaints and are more confident of the organization's ability to protect them and to stop the harassment. Several organizations attempt to track the cost of handling sexual harassment complaints (both monetary costs as well as cost in man hours). The assumption here is that an effective sexual harassment policy (combined with effective communication and training programs) will reduce the costs associated with complaints. Finally, 20% of the respondents conduct employee surveys. Some of these surveys just measure general satisfaction, but several companies track specific sexual harassment and diversity issues. In general, the measurement of the success of sexual harassment policies is limited.

Analysis of Actual Sexual Harassment Policies

All companies that responded to the telephone survey were asked to provide a copy of their sexual harassment policy. Forty-seven companies provided copies of their policies. These policies were content analyzed for similarities and differences and salient factors relevant to the impact that the policy itself and its presentation to employees would have on the effectiveness of the communication of the policy. Sexual harassment policies were found to differ in five areas relevant to the interests of this study:

- Level of definition of sexual harassment
- Complaint procedure identified
- Manager responsibilities in the complaint process
- Format of the policy
- Link of the policy to organizational philosophy

Level of Definition of Sexual Harassment

At a minimum, all policies which were examined repeat the legal definition of sexual harassment (quid pro quo and hostile environment). Most policies adopt language to describe these two types of sexual harassment that mirror that contained in the law. Organizations that go farther than merely repeating the law typically provide examples of the types of behaviors that either the courts or the organization would consider to be harassing and therefore should be avoided by employees. Finally, a small number of organizations go so far as to provide detailed examples of harassing behavior along with discussions of how such behaviors constitute or might constitute a hostile environment.

The level of definition is an important distinction among sexual harassment policies. While what constitutes "quid pro quo" sexual harassment is fairly evident to even the most naive individual, understanding what constitutes a "hostile environment" is not nearly so simple. Behaviors that may have once been either accepted or tolerated may well constitute significant harassment. Similarly, behaviors that are appropriate in social environments may constitute harassment in the work environment. These distinctions are neither simple nor evident to many people. Organizational training on sexual harassment can help to clarify these ambiguities, but so too can effectively written policies.

Complaint Procedure

Differences were also found in the types of complaint procedures employed within sexual harassment policies. Some organizations choose to utilize the normal organizational complaint procedure. An individual experiencing sexual harassment is directed to contact his or her supervisor or, should that individual be the perpetrator of the harassment, a human resources manager. Other organizations choose to create a detailed structure outside of the chain-of-command to be used in the case of sexual

harassment complaints. Finally, some organizations go so far as to identify the individuals designated to receive sexual harassment complaints by name and to provide phone numbers where these individuals can be reached.

The procedure utilized for sexual harassment complaints is important since these complaints are of a particularly sensitive nature. Research suggests that individuals are more likely to report sexual harassment when the procedure involves individuals outside of their direct chain-of-command (Segal, 1997). Identifying individuals outside of the chain-of-command has the added advantage of making it easier for the organization to provide special training for these individuals thereby making them more skillful at assessing the nature of the complaint and guiding the individual who reports the harassment through the process. There is a downside risk, however. Dealing with sexual harassment outside of the normal complaint procedure risks stigmatizing the complainant and encouraging marginal and frivolous complaints.

Manager Responsibilities

A number of the sexual harassment policies explicitly addressed the issue of managers' responsibilities with respect to sexual harassment. Many policies state that the manager is responsible to investigate any complaint made to him or her and to assure that there is no retaliation for the filing of a sexual harassment complaint. Some organizations charge managers with the responsibility of assuring that the workplace for which they are responsible is not a hostile environment. This implies a proactive as well as a reactive responsibility. Finally, a few policies explicitly expect managers to report any sexual harassment that they observe both within and outside of their immediate units.

The explicit identification of manager responsibility is an important one in assuring the effectiveness of an organization's sexual harassment policy. While the organization's communication through its sexual harassment policy of its intolerance of sexually harassing behavior sets a tone for the organization and its members, the individual manager is in an even more powerful position to clarify what types of behavior are and are not tolerated and to set the environment within his or her unit. An organization which charges its managers not only to police the behavior of employees but also to actively work for the establishment of a climate of tolerance and respect is likely to be much more effective in avoiding "hostile environments."

Format of Policy

Sexual harassment policies also varied in how they look and sound. The majority of the sexual harassment policies are taken directly from an employee handbook with legal wording and look. These policies are neither pleasant to look at nor easy to read. These policies provide only the bare minimum of information. Other organizations provide broader examples of sexual harassment as well as a more conversational tone to the wording of the policy. Finally, some organizations create elaborate brochures designed to encourage reading and to facilitate understanding.

Since a major test of an organization's compliance with required sexual harassment policies now focuses on how effectively the organization communicates its policy to employees (*Beth Ann Foragher v. City of Boca Raton*), the presentational format of the policy is quite important. While a policy which repeats the legal definitions and requirements may appear to meet the letter of the law, such a strategy is unlikely to be effective in communicating the policy to either employees or managers. The difference between seeing a policy presented in outdated typefaces (or in typewriter format) and legalese and seeing that same policy presented conversationally in an attractive brochure is dramatic.

Link to Organizational Philosophy

Some organizations presented sexual harassment as something that is illegal and will not be tolerated. Other organizations try to place the policy within the context of the larger organization and its management system. One way of accomplishing this is to have the president or CEO sign the policy. This may also include a statement from this individual supporting the policy. Several organizations strive to place the sexual harassment policy in the context of the organization's philosophy attempting to communicate the idea that "this is not the way that we do business at this organization."

A rather dramatic and negative example of this strategy illustrates the importance of this issue. One organization communicates their sexual harassment policy in a brochure entitled "We must obey the law. Period." The brochure identifies a number of areas including sexual harassment in which the corporate philosophy is to "obey the law." A signed letter from the CEO is printed inside the front cover of the brochure. While it is certainly important to communicate that obeying the law is an expectation of the company's philosophy, the constant restatement within this brochure that the "law" defines the company's philosophy as opposed to any inner compass leaves the impression of a fairly hollow philosophy.

In contrast, another organization's brochure is entitled "Respect and Responsibility: X's Guide to Identifying and Preventing Harassment." The tone of this brochure is first to place sexual harassment in the context of what is and is not acceptable behavior in this organization. The entire first page of the brochure communicates that sexual harassment is inconsistent with this company's way of doing business. The page ends by addressing the financial costs to individuals and organizations of sexual harassment. Only on the second page does this brochure refer to legal prohibitions of sexual harassment. Such an approach is likely to be far more effective in changing the attitudes and behaviors of employees and managers.

Examples of Best Practices

A number of organizations have developed policies and/or training programs which could be characterized as examples of "best practices" with respect to either the comprehensiveness of their training or innovative programs designed to further their

goal of the prevention of sexual harassment. The following are several examples.

Kimberly-Clark Corporation

Ms. Maureen Ware is one of two individuals who designed the training program for employees and managers at Kimberly-Clark. She noted that one strength of the program is that it directly addresses the overall culture of the Neenah, Wisconsin headquarters - in other words, an organization of workers she characterizes as nonconfrontational, hard-working, and long-term in their commitment, but also as potentially noncomplaining, long-suffering, and overly deferential. Therefore, a particular need for this organization is to emphatically communicate to workers their right to complain and, indeed, the need to do so, not only to protect themselves from harassing situations but also to help protect their fellow employees from similar situations. Consequently, her group has made many options available to employees to comfortably and safely make a complaint. Not only can employees directly contact their own team leader (manager) or Human Resources, but also any other team leader in the organization (with whom they might potentially feel more comfortable). Furthermore, several alternate contacts (workers who have a long and good reputation within the organization and who are perceived as trustworthy and sensitive listeners) have been designated within every work unit and have been trained along with team leaders with respect to making referrals to Human Resources regarding sexual harassment complaints. Ms. Ware emphasizes the importance of having at least one male and one female in any work unit who could serve as contacts, since females in particular might not feel comfortable talking to their male team leader about specific concerns. Of particular note is that Kimberly-Clark regards an increase in internal complaints as evidence of the effectiveness of their training, although they, like any organization, want to eliminate the need for external complaints and lawsuits.

Another relevant dynamic within the organization is the frequent need for employees to work 12-hour shifts at night. Since there tends to be less managerial supervision during the evening shifts, there is more opportunity for harassment to occur at these times. One response has been for Human Resources staff and managers to show up at unexpected times during the night shifts. However, given the inherent problems of having fewer managerial staff present at this shift, one focus of training has been on educating employees as to what constitutes harassment - both for the purpose of increasing self-monitoring of ambiguous but problematic behaviors as well as for the obvious purpose of validating for victims of harassment what types of behaviors are considered inappropriate.

Kimberly-Clark is comprehensive in their approach to dealing with the problem of sexual harassment, both in terms of the numbers of employees and managers who are trained (1-2 hour employee training and 3-4 hour managerial training every two years) and also with respect to the context in which this training is embedded. Not only sexual harassment but other types of inappropriate behaviors are addressed (even if not technically illegal) - namely, any behavior that interferes with the organization's goals of teamwork, hard work, and mutual respect. Thus, sexual harassment

prevention is presented within an overall context that is consistent with the company's culture and climate.

Texaco

Texaco is particularly noteworthy for the work being accomplished by its Corporate Conduct and Business Ethics Office, which is not part of Human Resources. As described by Mr. Ken Williams, the Resolutions Coordinator for this office, a one-day training course entitled "Ethics in the Workplace" is currently being administered to all employees. This course not only addresses sexual harassment within the context of other ethical dilemmas, but the training is preceded by an "ethics test" which allows participants to evaluate their own responses prior to the training. Half of all employees in the United States have been trained to date and an updated version of this training course is being developed, with the expectation that it will initially be administered to managers and supervisors. Mr. Williams stated that the organization's goal is to provide ongoing training in a 3-5 year cycle for all employees. In addition to this general training, all managers are provided with a half-day training which focuses more specifically on the prevention of sexual harassment and the process of making referrals.

Texaco requires all employees to sign off that they have read and complied with the organization's sexual harassment policy (as well as other corporate ethics policies) every two years. Finally, Texaco is notable for its attempts to measure the success of its policy - based on a toll-free hotline, statistics are tracked as to the number of questions and allegations regarding sexual harassment (and other problems). Employees are also surveyed every several years as to their experiences and satisfaction with the organization - questions regarding sexual harassment are routinely included in these surveys.

AlliedSignal

Ms. Susan Hofman, Director of Diversity, was interviewed as to AlliedSignal's practices regarding the prevention of workplace harassment. She notes that all employees are required to complete 40 hours of learning per year, which focus on subjects such as diversity, leadership and technical and supervisory skills. Learning may include a 3-1/2 hour module on workplace harassment that consists of overheads, videos, discussion of federal and state laws, the company's policy with regard to workplace harassment, and small group discussions of case studies. While this module is voluntary, certain units are targeted with this training when leadership or Human Resources has determined a specific need. The goal is to provide this training to all U.S. based employees. Modified versions have been used at AlliedSignal locations outside of the U.S. borders. In addition to this module, another learning format consists of "Lunch and Learns" designed to reach a broader group of individuals. One specific session addresses issues of respect in the workplace. Sessions such as these are hosted by senior leadership. In the case of respect, the Lunch and Learn is hosted by AlliedSignal's General Counsel. Training programs are continually updated - for

example, this past year the workplace harassment training module was updated to reflect the new Supreme Court rulings regarding sexual harassment as well as same-sex harassment.

In conclusion, the sexual harassment prevention programs of three organizations have been presented in more detail. They are noteworthy for three characteristics: 1) the coordination of a variety of communication and training techniques, 2) the adaptation of their program to peculiarities of the organization and employee environment, and 3) their attempt to measure the success of their program.

VI. Prescriptions for an Effective Sexual Harassment Policy and Prevention Program

Designing a Sexual Harassment Policy

EEOC guidelines prohibit sexual harassment in the form of either a "quid pro quo" or the creation of a hostile work environment. An effective sexual harassment policy needs the following components -a clear statement that sexual harassment is illegal and will not be tolerated within the company, a clear statement that the prohibition against sexual harassment applies to everyone within the organization, a complaint mechanism, an explanation of what constitutes sexual harassment, and assurances that complaints will be investigated and that no retaliation will be taken against an employee making a complaint (Garland, 1998)

Statement of Sexual Harassment Policy

The sexual harassment policy should be crafted very carefully.³ While most states do not require a separate sexual harassment policy, it is probably a good idea to state the policy separately. This is because failure to create policies that explicitly prohibit sexual harassment can be construed by the courts and EEOC as tacitly sanctioning a hostile work environment.

EEOC regulations should not be quoted verbatim. Legalistic wording can be confusing and provide inadequate information on what is prohibited. Legalistic wording also encourages a legalistic perspective on the part of employees "splitting hairs" over whether or not certain behaviors are prohibited. The policy should go further to provide examples of prohibited behaviors to provide additional clarity. Both quid pro quo and hostile environment harassment should be explicitly covered in the policy.

It is also important that the policy cover the actions of individuals who are not employees of the organization (vendors, contractors, suppliers, etc.). It should be clear that the sexual harassment policy applies to outsiders as well as company employees. EEOC policies imply that policies may cause serious harm if the employee feels that his or her only recourse is to go to an external court or commission. A workplace policy that does not clearly apply to nonemployees may provide only limited legal protection if a complaint about a nonemployee goes to litigation.

Finally, the sexual harassment policy must set forth sanctions for violations. It is especially important to avoid legal prescriptions in this area. Ideally, the organization should have the ability to discipline employees for legal but unquestionably inappropriate behaviors. Reliance on legal prescriptions can be overly limiting. The policy should make it clear that employees can be sanctioned not only for behavior that is illegal but also for behavior that is inappropriate in view of the organization's position

³ Suggestions regarding statement of sexual harassment policies are based on Segal (1997).

regarding sexual harassment.

Organizational Climate and Sexual Harassment

The organization can also take positive steps to insure that the climate within the organization is one which does not facilitate the development of a hostile climate. There may be cues within the organization which heighten tensions between male and female employees. For example in 1990, Honeywell removed an exhibit from its art gallery which included artistic photographs of women, which most would not consider pornography, but which were spurring offensive comments and made some female employees uncomfortable (Meyer, 1992). While this action may not have been necessary in a legal sense, it demonstrated a resolve on the part of top management to be responsive to sensitivities of female employees.

The seriousness with which an organization approaches its sexual harassment policy and the enforcement of it also makes a significant difference in the attention that employees will give to subtle sensitivities. If the company says that it will not tolerate sexual harassment but allows everything but the most gross violations to flourish, what the sexual harassment policy says on paper will not matter (Meyer, 1992).

Complaint Procedures

The complaint process itself should be easy and painless.⁴ A phone number should be provided to which employee complaints should be directed. The more choices to which employees may complain the more likely it is that the employee will find someone to whom he or she would feel comfortable complaining. Employees should be allowed to bypass their immediate supervisor in making a complaint. Not only is it possible that this individual is the perpetrator of the harassment, but also employees in general seem to feel more comfortable making complaints of this sort outside of the chain-of-command. Complaints should be allowed to be lodged verbally with a written complaint constituting a second level if the complainant is not satisfied with the resolution of the verbal complaint. This encourages employees to participate by making the initial complaint simple to file. Furthermore, should the individual not file a written second level complaint, it is hard to make a case that the organization failed to address the sexual harassment complaint.

How a particular complaint is addressed is critical to its effective resolution.⁵ Initially, the complaint should be heard carefully suspending judgment and taking complete notes. The process should be explained to the complainant without making promises as to the outcome. The appropriate party should be notified so that the investigation can begin immediately. A third party (usually from human resources) should investigate. It is often appropriate to have both a man and a woman investigate.

⁴ Suggestions on complaint procedures are based on Segal (1997).

⁵ Suggestions for dealing with complaints are based on Meyer (1992).

Precautions should be taken to protect the privacy of all parties involved. The accused party should be interviewed as well as any individuals that he/she believes would have pertinent information to the case. Complete notes should be taken.

Once all relevant facts have been compiled, the investigators should determine if the complaint is credible and determine the action to be taken. If it is not possible to determine who is truthful, a warning should be issued and the situation followed up at a later time. If harassment occurred, the appropriate action as prescribed in the company policy should be considered. Disciplinary action should be based on the seriousness of the offense and whether or not it was a first offense. The complainant should be notified of the outcome. The entire investigation should be carefully documented. Longitudinally, the complainant and the perpetrator should be followed up to be sure that additional sexual harassment does not occur and that there is no retaliation against the complainant.

The complaint process should provide limited but not absolute assurances of confidentiality. Allegations of discrimination, harassment and retaliation should be kept confidential except when needed to conduct an investigation and take corrective action. The accused has the right to know the identity of people who have filed complaints against him/her. Without such knowledge, it is impossible for the accused to provide mitigating evidence.

The complaint process should make clear that retaliation will not be tolerated. The employer may not take action against an employee who files an EEO complaint unless the employer can prove that the complaint was made with malice (i.e., the employee knew that the complaint was false or exhibited reckless disregard for the truth).

Communication of Sexual Harassment Policy and Procedures

The 1990 EEOC guidelines mandate clear communication of sexual harassment policy: "An effective preventive program should include an explicit policy against sexual harassment that is clearly and regularly communicated to employees and effectively implemented. The employer should affirmatively raise the subject with all supervisory and nonsupervisory employees, express strong disapproval, and explain the sanctions of harassment." The importance of effective communication has been emphasized by recent Supreme Court cases (*Burlington Industries, Inc. v. Ellerth* and *Beth Ann Faragher, Petitioner v. City of Boca Raton*) that include effective communication of the sexual harassment policy as a requisite for an effective policy.

The question for an organization, then, is how it can effectively communicate its sexual harassment policy. While there is no research directly testing the effectiveness of particular methods for communicating a sexual harassment policy, the research on communicating information within organizations including policies is fairly consistent. The use of multiple coordinated communication media provides for the most effective communication within organizations (Huseman, Hayes & Alexander, 1977). This

means that an organization should not assume that any one communication mechanism, however elegantly designed and crafted, will suffice to provide effective communication. Placing the sexual harassment policy in the company handbook and on bulletin boards are important parts of the communication process, but alone they are insufficient for truly effective communication. Distributing the sexual harassment policy to all employees in written format and having employees sign off indicating that they have read and understand the policy may provide comfort to human resource executives that they have discharged their responsibilities for communicating the policy, but this strategy will not assure that employees understand either the substance or the implications of the policy.

The organization that is truly interested in assuring that all employees understand and appreciate the organization's sexual harassment policy will develop a coordinated media campaign that utilizes the wealth of communication media available. Distributing the policy in an "easy to read" and informative fashion is a starting point. There should be a follow-up, however, that includes use of bulletin boards, organization newsletters and magazines, training sessions, Intranet sites, and videotapes. The campaign must be coordinated. Certain types of information are best presented in certain media. Additionally, the sequencing of information is important to its effectiveness. Certain information must precede other information if the latter information is to be meaningful. Proper sequencing can only be assured through a coordinated use of communication media.

Effective communication of sexual harassment policies is complicated in its effects. Effective communication of the organization's sexual harassment policy will, at least initially, increase the number of complaints received by the organization (Meyer, 1992). However, with an effectively communicated and effectively designed sexual harassment policy, an organization should experience a decrease in formal charges and litigation costs associated with harassment complaints. Lia Shigemura of Pacific Gas & Electric explains it this way: "It sounds illogical, but we can tell the program's working when we get more questions about sexual harassment and more informal complaints." (in Meyer, 1992)

Training on Sexual Harassment Issues

The underlying assumption of instituting training programs on sexual harassment issues is that training can indeed be effective in preventing the behavior of sexual harassment. Based on Gagne's (1977) work on "attitude learning" which refers to three components of attitudes (cognitive, affective, and behavioral), York, Barclay, and Zajack (1997) noted that sexual harassment prevention efforts must similarly have these three components. Namely, they should focus on employees' thoughts and perceptions about the relationship between victims, actions, harassment and outcome, they should sensitize individuals to both their own and the victims' feelings about the situation, and they should try to address the behavior of sexual harassment, even as it varies widely in different situations.

As challenging as this task may appear, several writers have suggested specific ideas which may further the accomplishment of these goals. For example, Goldstein (1993) noted that learning through observation ("modeling") is not only more efficient but less damaging than learning through direct experience. As such, indirect means such as videos and cases are obviously more desired than through the actual experience of sexual harassment (York et al., 1997). Wexley and Latham (1991) have emphasized the importance of "conditions of practice," suggesting the potential utility of role-playing in the prevention of sexual harassment. It also may be inferred from their writing that it is essential not only for employees to develop an awareness of how not to interact at work, but also the much more amorphous but equally important awareness of how to interact. An implicit assumption of respectful behavior in the workplace environment may need to be operationalized and translated into actual behavior for some employees, a task certainly more easily stated than accomplished.

It is clear from a monetary perspective that investment in training pays off. For example, a 1988 study by Working Woman of Fortune 500 companies found that companies with the most sophisticated sexual harassment training programs spent approximately \$200,000 or \$8.33 per employee. On the other hand, companies that ignored or mismanaged the problem spent an average of \$6.7 million in low morale, lost productivity, absenteeism, and employee turnover, even excluding the cost of litigation or legal settlements (Escobedo, 1991). One of the very few empirical studies on the effectiveness of sexual harassment prevention training was conducted by York et al. (1997). Using a combination of case analyses, commercially produced videotape episodes (determined in a pretest to assess a range of behavior from very explicit sexual harassment to a case of possible misunderstanding), and questionnaires, they found that subjects became sensitized to the occurrence of sexual harassment behavior as a function of the training. Furthermore, they found that subjects' change in perceptions was particularly significant for the more ambiguous cases. The more ambiguous cases also highlighted gender differences in perceptions, with women more likely than men to label them as sexual harassment. The authors noted that one implication of this finding is the importance of including cross-gender discussion with respect to cases and video episodes. Finally, the authors concluded that training not only needs to increase awareness and clarify misconceptions about sexual harassment, but it also needs to help managers develop specific strategies for assuring that sexual harassment has no place in the work environment. The strategies that companies have discovered for accomplishing these two goals will be addressed in the following section, based on the literature and the experiences of organizations surveyed within this study.

Intended Audience

Organizations vary substantially as to their intended audience for sexual harassment prevention training. Some organizations limit their training to orientation for new hires, while others only administer training for an identified work unit as a function of complaints from that unit. Some organizations provide either one-time training or biannual training for all employees, although the format for this training may vary from unit to unit. Other organizations provide orientation for new managers and perhaps

refresher courses for senior managers.

Content Covered

At a minimum, all organizations broach the topic of sexual harassment as a legal concern and addressed the legal definition of sexual harassment as well as the recent Supreme Court rulings on sexual harassment. Several organizations (such as the organization referred to earlier whose brochure was entitled "We must obey the law. Period.") address sexual harassment only from this perspective. Limitations of relying solely upon this narrow focus are that it fails to recognize the complexity and ambiguity of many types of sexual harassment and preempts often necessary and legitimate questions and discussion by framing sexual harassment as an obviously straightforward unlawful behavior.

Other organizations acknowledge the complexity of the issue by presenting scenarios which range from straightforward coercive behavior to ambiguous communication. Licata and Popovich (1987) proposed that sexual harassment should be conceptualized as the confusion of a sex role with a work role in which the communication of role expectations may be inappropriate and may lead to inappropriate expectations. Their model of training notes further that participants need to realize that the received role may not be the role the sender intends to communicate, thus leading to incorrectly perceived expectations. Therefore, the individual's behavior may be in conflict with the role expectations of others, creating problems for both the work group and the individual. One benefit of an approach such as this to the discussion of sexual harassment is that it doesn't necessarily assume that the behavior is intended to be offensive and that a harassing individual necessarily realizes how his/her behavior is perceived by others. In other words, it is essential to lower the defensiveness of employees in the discussion of this very difficult issue, especially in light of the changing role expectations of many organizations seeking to achieve a more gender integrated and egalitarian work environment.

At the other end of the spectrum from a simple focus on the legal definition of sexual harassment is the perspective adopted by a number of organizations who choose to place the discussion of sexual harassment within the context of diversity policies overall. In fact, a number of organizations tend not to provide separate training with regard to sexual harassment and instead provide training on their diversity initiatives and the company's emphasis on the importance of general respect overall for others in the workplace. In such a case, the emphasis tends to be more broad on resolving conflicts and in creating a positive work environment.

Finally, training for managers typically includes practical skill building and a discussion of specific procedures as to how to handle complaints and to conduct an investigation sensitively and appropriately. The latter is essential not only to provide support for the victim of the harassment but to assure a fair investigation of the accused perpetrator. In light of the changing norms and regulations with regard to sexual harassment, many organizations acknowledge the need for refresher courses for

senior managers.

Formats Used

One important consideration is the use of skilled trainers. For example, according to Meyer (1992), Pacific Gas & Electric held a comprehensive 3-day "train the trainer" workshop after the Hill-Thomas hearings because they were deluged by requests for information, and they wanted to fully prepare the leaders of 4-hour workshops on sexual harassment to answer all of the questions.

Other organizations rely upon the use of videotapes which can visually depict the subtleties of various situations (Waldrop, 1994) and which may even refer to case examples more relevant to that particular organization. Some organizations presented these visual scenarios via computer-training programs which are conducted on an individual basis. Ideally, however, videotapes should be used in conjunction with skilled trainers who can interrupt the videos to let the audience express their own opinions about what they have just seen and can lead discussions as to diverse perceptions of the same scenario.

Role-playing appears to be a particularly effective format for highlighting the often over learned nature of cross-gender interactions and also for helping individuals to learn and express new behaviors. In the course of role-playing, it is possible to have participants evaluate their own speech by using criteria to evaluate whether a potential remark is appropriate. Meyer (1992) quotes a suggestion by Tom McCullough, the human resource manager at Corning Inc., as to how to teach employees to avoid accidentally offending someone. Mr. McCullough incorporates these guidelines from the American Management Association into sexual harassment prevention programs: a) Would you say this in front of your spouse, parent, or child? b) Would you say it if you were going to be quoted on the front page of the newspaper? c) Would you say it the same way to a member of your same sex? d) Would you behave the same way to a member of your same sex? And finally, e) Why does it need to be said at all? What business is it furthering? Exercises such as these are particularly helpful in that many employees are intimidated by the ambiguity that necessarily surrounds the definition of harassing behavior.

A particularly creative strategy for depicting the subtle and often-ambiguous nature of potentially harassing situations has been adopted by TRW. They have achieved the dual goals of community support and effective in-house training by hiring community actors to perform skits based on real-life TRW cases. They then encourage the audience to ask the actors questions about their respective roles while the actors stay in character and try to communicate their perspectives. Again, any method which presents the complexity and ambiguity surrounding the definition of sexual harassment while also encouraging questions and discussion and promoting specific positive behaviors is ultimately going to be much more successful in reducing harassing behaviors and in creating a positive mutually supportive work environment.

Evaluation of Training

Organizations' evaluation of their training efforts tend to be cursory at best. Several organizations in our survey reported that they require verification of attendance at training programs and a few organizations administer post-tests on knowledge of the content of the training program. Most organizations tend to point to the reduced number of EEOC complaints or lawsuits which they attribute to increased training. However, in order to evaluate the effectiveness of specific types and formats of training as well as the dosage effect of training, it is recommended that changes in the rates of sexual harassment complaints, increased knowledge about sexual harassment (from pre- to post-tests) and changes in responses on surveys should all be seen to vary as a function of the type and amount of training at a given site. Large organizations may even compare the efficacy of different formats of training at different sites.

VII. Implications for the U. S. Army

Surveying Sexual Harassment

With respect to the assessment of the incidence of sexual harassment, the SEQ-R is the most psychometrically sophisticated instrument available. As was mentioned previously, it does have its limitations and even its authors suggest that it may need to be adapted to the purposes of the population for which it is used. Furthermore, it may need to be adapted to assess better the experiences of males as well as females.

Given the insidious but equally damaging effects of perceived organizational tolerance of sexual harassment even upon those who have not experienced harassment themselves, it is recommended that any systematic assessment include questions about hypothetical cases or cases of harassment that have been observed and not just personally experienced. Follow-up questions as to the reactions of others, both superior officers and peers in one's unit, the probable consequences to the victim if a complaint were made, the probable effects of this complaint on the rest of the unit, and the probable reactions of the line-of-command if a complaint were filed could provide important insights regarding needed interventions with regard to the communication of policy and the prevention of workplace harassment.

Lessons from Industry

This survey was informative partly in what it was not able to illustrate. In general, the level of attention to sexual harassment policy is greater in the Army than in industry. On the other hand, U. S. organizations are quickly becoming aware of the need to establish formal training of their workers with respect to sexual harassment prevention and many described programs which are in the process of being implemented.

No comprehensive models which could be readily adopted by the Army were identified. On the other hand, several organizations have developed creative and thoughtful prevention training programs which do have elements potentially applicable to the Army. Most notably, Kimberly-Clark has focused much energy on the evaluation of their workforce and its particular climate in order to establish specific goals for training that are germane to their employees. They have a sense of who their employees are, in terms of the type of person who is likely to be hired and to remain with the organization. By gearing their training to their employees' perceived strengths (e.g., a strong work ethos) and perceived weaknesses (e.g., excessive deference), they are presumably more able to connect the issue of sexual harassment to other values which the employees already espouse. With respect to the Army, given the important tradition of group cohesiveness, sexual harassment would probably have more credibility as a topic to be considered if its connection to the morale of the whole unit were articulated.

Kimberly-Clark was also notable in its acknowledgment of the particular stresses

experienced by some portion of their employees and how those stresses could lead to both increased occurrence of sexual harassment as well as reduced monitoring. Army personnel clearly experience unique stresses which at times are much more excessive than that experienced by civilian workers. Furthermore, specific types of demands (such as basic training or deployment) are undoubtedly associated with unique risks for engaging in or experiencing sexual harassment. Therefore, it is possible that different types of settings require different strategies of monitoring and harassment prevention. An assessment of the organizational climate on a site-by-site basis could suggest the types of intervention required in different settings.

Finally, few U. S. corporations were engaging in systematic and thorough assessments of either the prevalence of sexual harassment within their organization or the effectiveness of their prevention programs. Given that these large corporations had sites in many different parts of the country characterized by different cultures and different types of employees, they had a ready-made opportunity to assess how different types of training programs compared in their effectiveness as a function of characteristics of the workforce. However, these efforts were not being undertaken. The Army, on the other hand, could learn from the absence of these efforts in corporations and make a formal assessment of the types and amount of training and communication of policy that is required in order to effectively eliminate workplace harassment.

Implications for Policy and Procedure

One implication of this review is that the normal chain of command may not be the most feasible avenue through which to deal with the occurrence of sexual harassment. Given that the 1989 and 1991 NIOSH Surveys show that a sizable percentage of perpetrators are superiors in the victim's chain of command, alternate procedures may need to be developed.

As mentioned with respect to lessons learned from industry, to the degree that organizational climate is important for private industry, it is even more important for the Army. It may be that the general organizational climate is more important in determining the prevalence of sexual harassment than is awareness of appropriate behaviors or any other factor. Thus, it makes sense to embed, at least partially, sexual harassment training in the context of training designed to establish a positive and supportive work climate.

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